

(soon)  
State of Wisconsin  
2005 - 2006 LEGISLATURE

RM run

LRB-3126/P2

RNK:lmk/jf

↑  
keep

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

regen. cat.

1 AN ACT *to renumber and amend* 29.304 (1) (b); *to amend* 29.304 (1) (a), 29.304  
2 (2) (a), 29.304 (2) (b) (intro.), 29.304 (2) (b) 1., 29.304 (2) (b) 2., 29.304 (3) (a)  
3 (intro.), 29.304 (3) (a) 1., 29.304 (3) (a) 2., 29.304 (3) (b) (intro.), 29.304 (3) (b)  
4 1., 29.304 (3) (b) 2., 29.304 (3) (b) 3., 29.593 (1) (a) and 29.595 (3) (b); and *to*  
5 *create* 29.304 (1) (b) 2., 29.304 (2) (b) 3., 29.304 (3) (a) 3., 29.304 (3) (b) 4.,  
6 29.592, 167.31 (1) (fh) and 167.31 (4) (am) 4. and 5. of the statutes; **relating to:**  
7 requirements for obtaining a certificate of accomplishment under the hunter  
8 education program and the elk hunter education program, requirements for  
9 hunting with a mentor and for serving as a hunting mentor, and exceptions to

1 the restrictions on placing, possessing, and transporting a firearm in or on a  
2 vehicle.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version of  
this draft. *insert analysis*

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*insert 2-3* → ***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3 **SECTION 1.** 29.304 (1) (a) of the statutes is amended to read:

4 29.304 (1) (a) *Prohibition on hunting.* No person under 12 years of age may  
5 hunt with a firearm ~~or~~ <sup>or crossbow</sup> bow and arrow unless he or she is hunting with a mentor and  
6 meets the requirements specified under s. 29.592.

7 **SECTION 2.** 29.304 (1) (b) of the statutes is renumbered 29.304 (1) (b) (intro.)  
8 and amended to read:

9 29.304 (1) (b) (intro.) *Restrictions on possession or control of a firearm.* No  
10 person under 12 years of age may have in his or her possession or control any firearm  
11 unless ~~he~~ any of the following apply:

12 1. He or she is enrolled in the course of instruction under the hunter education  
13 program and he or she is carrying the firearm in a case and unloaded to or from that  
14 class under the supervision of a parent or guardian or is handling or operating the  
15 firearm during that class under the supervision of an instructor.

16 **SECTION 3.** 29.304 (1) (b) 2. of the statutes is created to read:

17 29.304 (1) (b) 2. He or she is hunting with a mentor and meets the requirements  
18 specified under s. 29.592.

19 **SECTION 4.** 29.304 (2) (a) of the statutes is amended to read:

1           29.304 (2) (a) *Restrictions on hunting.* No person 12 years of age or older but  
2           under 14 years of age may hunt unless he or she is accompanied by a parent or  
3           guardian or he or she is hunting with a mentor and meets the requirements specified  
4           under s. 29.592.

5           **SECTION 5.** 29.304 (2) (b) (intro.) of the statutes is amended to read:

6           29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
7           person 12 years of age or older but under 14 years of age may have in his or her  
8           possession or control any firearm unless ~~he or she~~ any of the following apply:

9           **SECTION 6.** 29.304 (2) (b) 1. of the statutes is amended to read:

10          29.304 (2) (b) 1. Is He or she is accompanied by a parent or guardian; ~~or.~~

11          **SECTION 7.** 29.304 (2) (b) 2. of the statutes is amended to read:

12          29.304 (2) (b) 2. Is He or she is enrolled in the course of instruction under the  
13          hunter education program and is carrying the firearm in a case and unloaded to or  
14          from that class or is handling or operating the firearm during that class under the  
15          supervision of an instructor.

16          **SECTION 8.** 29.304 (2) (b) 3. of the statutes is created to read:

17          29.304 (2) (b) 3. He or she is hunting with a mentor and meets the requirements  
18          specified under s. 29.592.

19          **SECTION 9.** 29.304 (3) (a) (intro.) of the statutes is amended to read:

20          29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or  
21          older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

22          **SECTION 10.** 29.304 (3) (a) 1. of the statutes is amended to read:

23          29.304 (3) (a) 1. Is He or she is accompanied by a parent or guardian; ~~or.~~

24          **SECTION 11.** 29.304 (3) (a) 2. of the statutes is amended to read:

1           29.304 (3) (a) 2. Is He or she issued a certificate of accomplishment that states  
2           that he or she successfully completed the course of instruction under the hunter  
3           education program or has a similar certificate issued by another state or province.

4           **SECTION 12.** 29.304 (3) (a) 3. of the statutes is created to read:

5           29.304 (3) (a) 3. He or she is hunting with a mentor and meets the requirements  
6           specified under s. 29.592.

7           **SECTION 13.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

8           29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
9           person 14 years of age or older but under 16 years of age may have in his or her  
10          possession or control any firearm unless ~~he or she~~ any of the following apply:

11          **SECTION 14.** 29.304 (3) (b) 1. of the statutes is amended to read:

12          29.304 (3) (b) 1. Is He or she accompanied by a parent or guardian;

13          **SECTION 15.** 29.304 (3) (b) 2. of the statutes is amended to read:

14          29.304 (3) (b) 2. Is He or she enrolled in the course of instruction under the  
15          hunter education program and is carrying the firearm in a case and unloaded to or  
16          from that class or is handling or operating the firearm during that class under the  
17          supervision of an instructor; ~~or.~~

18          **SECTION 16.** 29.304 (3) (b) 3. of the statutes is amended to read:

19          29.304 (3) (b) 3. Is He or she issued a certificate of accomplishment that states  
20          that he or she completed the course of instruction under the hunter education  
21          program or has a similar certificate issued by another state or province.

22          **SECTION 17.** 29.304 (3) (b) 4. of the statutes is created to read:

23          29.304 (3) (b) 4. He or she is hunting with a mentor and meets the requirements  
24          specified under s. 29.592.

25          **SECTION 18.** 29.592 of the statutes is created to read:

insert  
4-24

1           **29.592 Hunting mentorship program.** (1) A person of any age may hunt  
2 in this state without obtaining a certificate of accomplishment under s. 29.591 or  
3 29.595 and may, while hunting, possess or control a firearm if all of the following  
4 apply:

5           (a) At all times when hunting, the person is within arm's reach of a mentor who  
6 meets the qualifications under sub. (2).

7           (b) The person holds a hunting approval ~~or, if the person does not meet the age~~  
8 ~~requirement for obtaining a hunting approval under s. 29.304, the mentor holds a~~  
9 ~~hunting approval.~~

10           (2) A person is qualified to serve as a mentor for a hunter if the person meets  
11 all of the following requirements:

12           (a) The person is 21 years of age or older.

13           (b) The person is the parent or guardian of the person for whom he or she is  
14 serving as a mentor or is authorized, in writing, by the parent or guardian to serve

15 as a mentor. *This requirement does not apply to a person*  
*serving as a mentor for a person who is 18 years of age or older.*

16           (c) The person has been issued a certificate of accomplishment under s. 29.591  
17 or, ~~if~~ *unless* the person was born before January 1, 1973, and is not required to obtain a  
18 certificate of accomplishment, ~~the person was issued a hunting approval within the~~

19 ~~3 years preceding the date on which the person is serving as a mentor.~~ *Keep*

20           ~~(d)~~ <sup>(e)</sup> The person has never had a hunting approval suspended or revoked.

21           **SECTION 19.** 29.593 (1) (a) of the statutes is amended to read:

22           29.593 (1) (a) Except as provided under subs. (2), (2m) and (3), and s. 29.592

23 (1), no person born on or after January 1, 1973, may obtain any approval authorizing

24 hunting unless the person is issued a certificate of accomplishment under s. 29.591.

25           **SECTION 20.** 29.595 (3) (b) of the statutes is amended to read:

*(d) The person holds a hunting approval of the*  
*type held by the person for whom he or she is*  
*serving as a mentor.*

29.595 (3) (b) Except as provided in par. (c) and s. 29.592, no person may be issued an elk hunting license unless he or she holds a valid certificate of accomplishment issued under this subsection.

**SECTION 21.** 167.31 (1) (fh) of the statutes is created to read:

167.31 (1) (fh) “Sport shooting range” means an area designed and used for target practice for hunting, for skeet shooting, or for similar sport shooting.

**SECTION 22.** 167.31<sup>V</sup>(4) (am) 4. and 5. of the statutes are created to read:

167.31 (4) (am) 4. Subsection (2) does not apply to a person who places a firearm that is loaded or that is not encased or both on the exterior of a stationary vehicle or in the bed of a stationary truck while legally hunting.

5. Subsection (2) does not apply to a person who possesses or transports a firearm that is loaded or that is not encased or both in a vehicle while traveling between stations at a sport shooting range.

(END)

13      betw  
14

**2005-2006 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3126/lins.  
RNK:.....

**INSERT ANALYSIS**

Current law imposes certain restrictions on hunting and firearm possession by any person under the age of 16 and generally prohibits hunting and firearm possession by any person under the age of 12. For persons who are older than 12 but under the age of 16, restrictions on hunting and firearm possession vary depending on the person's age. Current law also specifies that, with certain exceptions, no person born on or after January 1, 1973 may obtain a hunting approval unless the person is issued a certificate of accomplishment that certifies that the person has successfully completed the course of instruction under the hunter education or bow hunter education program established by the Department of Natural Resources (DNR). Furthermore, under current law, no person may be issued an elk hunting license unless the person has successfully completed the course of instruction under the elk hunter education program established by DNR.

This bill creates a hunting mentorship program under which a person of any age may hunt with a qualified mentor. Under the bill, a person who hunts with a qualified mentor is not required to obtain a certificate of accomplishment under one of the DNR hunter education programs if, at all times when hunting, the person is within arm's reach of a qualified mentor and the person holds a hunting approval.

To qualify as a hunting mentor under the bill, the mentor must be at least 21 years of age and, if the person being mentored is under the age of 18, must be the hunter's parent or guardian or must be authorized in writing by the parent or guardian to serve as a mentor. The mentor must also have been issued a certificate of accomplishment under one of DNR's hunter education programs unless the mentor is of an age at which such a certificate is not required under the law. Finally, the mentor must hold a hunting approval of the type held by the person for whom he or she is serving as a mentor.

This bill also provides that the restrictions on firearm possession by persons under the age of 16 do not apply to a person using a firearm in target practice if he or she is accompanied by his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian.

Current law provides, with certain exceptions, that no person may place, possess, or transport a firearm in or on a vehicle unless the firearm is unloaded and encased. This bill creates two additional exceptions to this general prohibition. Under the bill, a person may place a loaded firearm, or a firearm that is not in a case, on the exterior of a stationary vehicle or in the bed of a stationary truck while legally hunting. The bill also allows a person to possess or transport such a firearm in a vehicle while traveling between stations at a sport shooting range.

Under current law, a person may not purchase, possess, release into the wild, or hunt certain captive wild birds for the purpose of training a dog unless that person is issued a license by DNR. Current law also provides that a person must obtain a hound dog training license from DNR in order for to purchase, possess, release into the wild, or hunt certain captive wild animals for the purpose of teaching hound dogs to track game. A person is not eligible under current law to apply for either of these

licenses unless that person is at least 12 years old. This bill reduces the minimum age for obtaining either of these licenses to 10 years of age. ✓

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

INSERT 2-3

SECTION 1. 29.184 (6) (b) 1. of the statutes is amended to read:

29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old. ✓

INSERT 4-24

SECTION 2. 29.304 (5) (title) of the statutes is ~~amended~~ <sup>repealed and recreated</sup> to read:

29.304 (5) (title) ~~EXCEPTION~~ EXCEPTIONS. ✓

History: 1983 a. 420; 1997 a. 197; 1997 a. 248 s. 431; Stats. 1997 s. 29.304.

SECTION 3. 29.304 (5) of the statutes is renumbered 29.304 (5) (a). ✓

SECTION 4. 29.304 (5) (b) of the statutes is created to read:

29.304 (5) (b) The restrictions on the possession and control of a firearm under this section do not apply to a person using a firearm in target practice if he or she is accompanied by his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian. ✓

SECTION 5. 29.563 (2) (a) 4. of the statutes is <sup>as affected by 2005 Wisconsin Act 25</sup> amended to read:

29.563 (2) (a) 4. Small game issued to ~~12-year-olds to 17-year-olds persons~~ under the age of 18: \$<sup>6</sup>7.25. ✓

SECTION 6. 29.563 (4) (a) 1m. of the statutes is <sup>as affected by 2005 Wisconsin Act 25</sup> amended to read:

29.563 (4) (a) 1m. Sports issued to ~~12-year-olds to 17-year-olds persons under~~ the age of 18: \$<sup>2</sup>33.25 or a greater amount at the applicant's option. ✓

SECTION 7. 29.563 (4) (a) 2m. of the statutes is <sup>as affected by 2005 Wisconsin Act 25</sup> amended to read:

29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~ persons under the age of 18: \$<sup>0</sup>72.25 or a greater amount at the applicant's option. ✓

SECTION 8. 29.563 (4) (b) 1m. of the statutes is amended to read:



29.563 (4) (b) 1m. Sports issued to <sup>plain</sup>~~12-year-olds to 17-year-olds~~ persons under the age of 18: \$33.25 or a greater amount at the applicant's option.

**SECTION 9.** 29.563 (4) (b) 2m. of the statutes is amended to read:

29.563 (4) (b) 2m. Conservation patron issued to ~~12-year-olds~~ <sup>persons under the age of 18</sup> 14-year-olds ~~to 17-year-olds~~: \$72.25 or a greater amount at the applicant's option.

**INSERT 6-13**

**SECTION 10.** 169.20 (1) (a) of the statutes is amended to read:

169.20 (1) (a) The department shall issue a bird dog training license to any individual who is at least ~~12~~ <sup>✓</sup> 10 years of age who files a proper application and who pays the applicable fee.

**SECTION 11.** 169.20 (2) (a) of the statutes is amended to read:

169.20 (2) (a) The department shall issue a hound dog training license to any individual who is at least ~~12~~ <sup>✓</sup> 10 years of age who files a proper application and who pays the applicable fee.

**SECTION 12.** 169.33 (2) (d) of the statutes is amended to read:

169.33 (2) (d) An individual who applies for a bird dog training license or a hound dog training license shall be at least ~~12~~ <sup>✓</sup> 10 years of age.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3126/1dn

RNK:.....

(date)

This redraft incorporates the changes you requested. ✓ One of those changes is that every mentor be required to hold a hunting approval. ✓ Consequently, you will note that I removed the language from the previous draft specifying that a mentor who is exempt from the certificate of accomplishment requirement must have held a hunting approval within the preceding 3 years. ✓ See proposed s. 29.592 (2) ✓(c).

Also, please note that I did not adjust the minimum age specified in the fee statute for conservation patron licenses (s. 29.563 (4) (b) 2m.) ✓ because under current law, the minimum age for a conservation patron license is 12 years of age. ✓ See s. 29.235 (1), ✓ as affected by 2005 Wisconsin Act 25.

Please feel free to contact me if you have any questions concerning this draft. ✓

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3126/1dn  
RNK:lmk:jf

September 7, 2005

This redraft incorporates the changes you requested. One of those changes is that every mentor be required to hold a hunting approval. Consequently, you will note that I removed the language from the previous draft specifying that a mentor who is exempt from the certificate of accomplishment requirement must have held a hunting approval within the preceding 3 years. See proposed s. 29.592 (2) (c).

Also, please note that I did not adjust the minimum age specified in the fee statute for conservation patron licenses (s. 29.563 (4) (b) 2m.) because under current law, the minimum age for a conservation patron license is 12 years of age. See s. 29.235 (1), as affected by 2005 Wisconsin Act 25.

Please feel free to contact me if you have any questions concerning this draft.

Robin N. Kite  
Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.state.wi.us

2005 – 2006 LEGISLATURE

LRB-3126/1

RNK:lmkjjf

12 RMR

D - Note

keep

2005 BILL

Today 2pm

Present

✓t

1 AN ACT *to renumber* 29.304 (5); *to renumber and amend* 29.304 (1) (b); *to*  
2 *amend* 29.184 (6) (b) 1., 29.304 (1) (a), 29.304 (2) (a), 29.304 (2) (b) (intro.),  
3 29.304 (2) (b) 1., 29.304 (2) (b) 2., 29.304 (3) (a) (intro.), 29.304 (3) (a) 1., 29.304  
4 (3) (a) 2., 29.304 (3) (b) (intro.), 29.304 (3) (b) 1., 29.304 (3) (b) 2., 29.304 (3) (b)  
5 3., 29.563 (2) (a) 4., 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m.,  
6 29.593 (1) (a), 29.595 (3) (b), 169.20 (1) (a), 169.20 (2) (a) and 169.33 (2) (d); *to*  
7 *repeal and recreate* 29.304 (5) (title); and *to create* 29.304 (1) (b) 2., 29.304  
8 (2) (b) 3., 29.304 (3) (a) 3., 29.304 (3) (b) 4., 29.304 (5) (b), 29.592, 167.31 (1) (fh)  
9 and 167.31 (4) (am) 4. and 5. of the statutes; **relating to:** requirements for  
10 obtaining a certificate of accomplishment under the hunter education program  
11 and the elk hunter education program, requirements for hunting with a mentor

**BILL**

- 1 and for serving as a hunting mentor, and exceptions to the restrictions on  
2 placing, possessing, and transporting a firearm in or on a vehicle.
- 

***Analysis by the Legislative Reference Bureau***

Current law imposes certain restrictions on hunting and firearm possession by any person under the age of 16 and generally prohibits hunting and firearm possession by any person under the age of 12. For persons who are older than 12 but under the age of 16, restrictions on hunting and firearm possession vary depending on the person's age. Current law also specifies that, with certain exceptions, no person born on or after January 1, 1973 may obtain a hunting approval unless the person is issued a certificate of accomplishment that certifies that the person has successfully completed the course of instruction under the hunter education or bow hunter education program established by the Department of Natural Resources (DNR). Furthermore, under current law, no person may be issued an elk hunting license unless the person has successfully completed the course of instruction under the elk hunter education program established by DNR.

This bill creates a hunting mentorship program under which a person of any age may hunt with a qualified mentor. Under the bill, a person who hunts with a qualified mentor is not required to obtain a certificate of accomplishment under one of the DNR hunter education programs if, at all times when hunting, the person is within arm's reach of a qualified mentor and the person holds a hunting approval.

To qualify as a hunting mentor under the bill, the mentor must be at least 21 years of age and, if the person being mentored is under the age of 18, must be the hunter's parent or guardian or must be authorized in writing by the parent or guardian to serve as a mentor. The mentor must also have been issued a certificate of accomplishment under one of DNR's hunter education programs unless the mentor is of an age at which such a certificate is not required under the law. Finally, the mentor must hold a hunting approval of the type held by the person for whom he or she is serving as a mentor.

This bill also provides that the restrictions on firearm possession by persons under the age of 16 do not apply to a person using a firearm in target practice if he or she is accompanied by his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian.

Current law provides, with certain exceptions, that no person may place, possess, or transport a firearm in or on a vehicle unless the firearm is unloaded and encased. This bill creates two additional exceptions to this general prohibition. Under the bill, a person may place a ~~loaded~~ <sup>an unloaded</sup> firearm, or a firearm that is not in a case, on the exterior of a stationary vehicle or in the bed of a stationary truck while legally hunting. The bill also allows a person to possess or transport such a firearm in a vehicle while traveling between stations at a sport shooting range.

Under current law, a person may not purchase, possess, release into the wild, or hunt certain captive wild birds for the purpose of training a dog unless that person is issued a license by DNR. Current law also provides that a person must obtain a

**BILL**

hound dog training license from DNR in order for to purchase, possess, release into the wild, or hunt certain captive wild animals for the purpose of teaching hound dogs to track game. A person is not eligible under current law to apply for either of these licenses unless that person is at least 12 years old. This bill reduces the minimum age for obtaining either of these licenses to 10 years of age.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 29.184 (6) (b) 1. of the statutes is amended to read:

2           29.184 **(6)** (b) 1. The applicant is at least ~~12~~ 10 years old.

3           **SECTION 2.** 29.304 (1) (a) of the statutes is amended to read:

4           29.304 **(1)** (a) *Prohibition on hunting.* No person under 12 years of age may  
5 hunt with a firearm or, bow and arrow, or crossbow unless he or she is hunting with  
6 a mentor and meets the requirements specified under s. 29.592.

7           **SECTION 3.** 29.304 (1) (b) of the statutes is renumbered 29.304 (1) (b) (intro.)  
8 and amended to read:

9           29.304 **(1)** (b) (intro.) *Restrictions on possession or control of a firearm.* No  
10 person under 12 years of age may have in his or her possession or control any firearm  
11 unless he any of the following apply:

12           1. He or she is enrolled in the course of instruction under the hunter education  
13 program and he or she is carrying the firearm in a case and unloaded to or from that  
14 class under the supervision of a parent or guardian or is handling or operating the  
15 firearm during that class under the supervision of an instructor.

16           **SECTION 4.** 29.304 (1) (b) 2. of the statutes is created to read:

17           29.304 **(1)** (b) 2. He or she is hunting with a mentor and meets the requirements  
18 specified under s. 29.592.

**BILL****SECTION 5**

1       **SECTION 5.** 29.304 (2) (a) of the statutes is amended to read:

2       29.304 **(2)** (a) *Restrictions on hunting.* No person 12 years of age or older but  
3       under 14 years of age may hunt unless he or she is accompanied by a parent or  
4       guardian or he or she is hunting with a mentor and meets the requirements specified  
5       under s. 29.592.

6       **SECTION 6.** 29.304 (2) (b) (intro.) of the statutes is amended to read:

7       29.304 **(2)** (b) *Restrictions on possession or control of a firearm.* (intro.) No  
8       person 12 years of age or older but under 14 years of age may have in his or her  
9       possession or control any firearm unless ~~he or she~~ any of the following apply:

10       **SECTION 7.** 29.304 (2) (b) 1. of the statutes is amended to read:

11       29.304 **(2)** (b) 1. Is He or she is accompanied by a parent or guardian; ~~or,~~

12       **SECTION 8.** 29.304 (2) (b) 2. of the statutes is amended to read:

13       29.304 **(2)** (b) 2. Is He or she is enrolled in the course of instruction under the  
14       hunter education program and is carrying the firearm in a case and unloaded to or  
15       from that class or is handling or operating the firearm during that class under the  
16       supervision of an instructor.

17       **SECTION 9.** 29.304 (2) (b) 3. of the statutes is created to read:

18       29.304 **(2)** (b) 3. He or she is hunting with a mentor and meets the requirements  
19       specified under s. 29.592.

20       **SECTION 10.** 29.304 (3) (a) (intro.) of the statutes is amended to read:

21       29.304 **(3)** (a) *Restrictions on hunting.* (intro.) No person 14 years of age or  
22       older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

23       **SECTION 11.** 29.304 (3) (a) 1. of the statutes is amended to read:

24       29.304 **(3)** (a) 1. Is He or she is accompanied by a parent or guardian; ~~or,~~

25       **SECTION 12.** 29.304 (3) (a) 2. of the statutes is amended to read:

**BILL**

1           29.304 (3) (a) 2. Is He or she is issued a certificate of accomplishment that states  
2           that he or she successfully completed the course of instruction under the hunter  
3           education program or has a similar certificate issued by another state or province.

4           **SECTION 13.** 29.304 (3) (a) 3. of the statutes is created to read:

5           29.304 (3) (a) 3. He or she is hunting with a mentor and meets the requirements  
6           specified under s. 29.592.

7           **SECTION 14.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

8           29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
9           person 14 years of age or older but under 16 years of age may have in his or her  
10          possession or control any firearm unless ~~he or she~~ any of the following apply:

11          **SECTION 15.** 29.304 (3) (b) 1. of the statutes is amended to read:

12          29.304 (3) (b) 1. Is He or she is accompanied by a parent or guardian;

13          **SECTION 16.** 29.304 (3) (b) 2. of the statutes is amended to read:

14          29.304 (3) (b) 2. Is He or she is enrolled in the course of instruction under the  
15          hunter education program and is carrying the firearm in a case and unloaded to or  
16          from that class or is handling or operating the firearm during that class under the  
17          supervision of an instructor; ~~or,~~

18          **SECTION 17.** 29.304 (3) (b) 3. of the statutes is amended to read:

19          29.304 (3) (b) 3. Is He or she is issued a certificate of accomplishment that states  
20          that he or she completed the course of instruction under the hunter education  
21          program or has a similar certificate issued by another state or province.

22          **SECTION 18.** 29.304 (3) (b) 4. of the statutes is created to read:

23          29.304 (3) (b) 4. He or she is hunting with a mentor and meets the requirements  
24          specified under s. 29.592.

25          **SECTION 19.** 29.304 (5) (title) of the statutes is repealed and recreated to read:



**BILL****SECTION 19**

1       29.304 (5) (title) EXCEPTIONS.

2       **SECTION 20.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a).

3       **SECTION 21.** 29.304 (5) (b) of the statutes is created to read:

4       29.304 (5) (b) The restrictions on the possession and control of a firearm under  
5 this section do not apply to a person using a firearm in target practice if he or she is  
6 accompanied by his or her parent or guardian or by a person at least 18 years of age  
7 who is designated by the parent or guardian.

8       **SECTION 22.** 29.563 (2) (a) 4. of the statutes, as affected by 2005 Wisconsin Act  
9 25, is amended to read:

10       29.563 (2) (a) 4. Small game issued to ~~12-year-olds to 17-year-olds~~ persons  
11 under the age of 18: \$6.25.

12       **SECTION 23.** 29.563 (4) (a) 1m. of the statutes, as affected by 2005 Wisconsin  
13 Act 25, is amended to read:

14       29.563 (4) (a) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons under  
15 the age of 18: \$32.25 or a greater amount at the applicant's option.

16       **SECTION 24.** 29.563 (4) (a) 2m. of the statutes, as affected by 2005 Wisconsin  
17 Act 25, is amended to read:

18       29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~  
19 persons under the age of 18: \$70.25 or a greater amount at the applicant's option.

20       **SECTION 25.** 29.563 (4) (b) 1m. of the statutes is amended to read:

21       29.563 (4) (b) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons under  
22 the age of 18: \$33.25 or a greater amount at the applicant's option.

23       **SECTION 26.** 29.592 of the statutes is created to read:

24       **29.592 Hunting mentorship program. (1)** A person of any age may hunt  
25 in this state without obtaining a certificate of accomplishment under s. 29.591 or

**BILL**

1 29.595 and may, while hunting, possess or control a firearm if all of the following  
2 apply:

3 (a) At all times when hunting, the person is within arm's reach of a mentor who  
4 meets the qualifications under sub. (2).

5 (b) The person holds a hunting approval.

6 **(2)** A person is qualified to serve as a mentor for a hunter if the person meets  
7 all of the following requirements:

8 (a) The person is 21 years of age or older.

9 (b) The person is the parent or guardian of the person for whom he or she is  
10 serving as a mentor or is authorized, in writing, by the parent or guardian to serve  
11 as a mentor. This requirement does not apply to a person serving as a mentor for a  
12 person who is 18 years of age or older.

13 (c) The person has been issued a certificate of accomplishment under s. 29.591  
14 or, unless the person was born before January 1, 1973, and is not required to obtain  
15 a certificate of accomplishment.

16 (d) The person holds a hunting approval of the type held by the person for whom  
17 he or she is serving as a mentor.

18 (e) The person has never had a hunting approval suspended or revoked.

19 **SECTION 27.** 29.593 (1) (a) of the statutes is amended to read:

20 29.593 **(1)** (a) Except as provided under subs. (2), (2m) and (3), and s. 29.592  
21 (1), no person born on or after January 1, 1973, may obtain any approval authorizing  
22 hunting unless the person is issued a certificate of accomplishment under s. 29.591.

23 **SECTION 28.** 29.595 (3) (b) of the statutes is amended to read:

**BILL**

1           29.595 (3) (b) Except as provided in par. (c) and s. 29.592, no person may be  
2 issued an elk hunting license unless he or she holds a valid certificate of  
3 accomplishment issued under this subsection.

4           **SECTION 29.** 167.31 (1) (fh) of the statutes is created to read:

5           167.31 (1) (fh) "Sport shooting range" means an area designed and used for  
6 target practice for hunting, for skeet shooting, or for similar sport shooting.

7           **SECTION 30.** 167.31 (4) (am) 4. and 5. of the statutes are created to read:

8           167.31 (4) (am) 4. Subsection (2) does not apply to a person who places a firearm  
9 ~~that is loaded or that is not encased or both~~ on the exterior of a stationary vehicle or  
10 in the bed of a stationary truck while legally hunting. ✓

11           5. Subsection (2) does not apply to a person who possesses or transports a  
12 firearm ~~that is loaded or that is not encased or both~~ in a vehicle while traveling  
13 between stations at a sport shooting range. ✓

14           **SECTION 31.** 169.20 (1) (a) of the statutes is amended to read:

15           169.20 (1) (a) The department shall issue a bird dog training license to any  
16 individual who is at least 12 10 years of age who files a proper application and who  
17 pays the applicable fee.

18           **SECTION 32.** 169.20 (2) (a) of the statutes is amended to read:

19           169.20 (2) (a) The department shall issue a hound dog training license to any  
20 individual who is at least 12 10 years of age who files a proper application and who  
21 pays the applicable fee.

22           **SECTION 33.** 169.33 (2) (d) of the statutes is amended to read:

23           169.33 (2) (d) An individual who applies for a bird dog training license or a  
24 hound dog training license shall be at least 12 10 years of age.

25           **(END)**



## STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

DN  
(date)

MGG:lmk:

4  
As redrafted 5  
The exemptions under s. 167.31 (4) (am) 4.  
and 5. will only apply to a gun outside  
its case that is unloaded. ✓

MBV



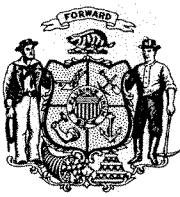
**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3126/2dn  
MGG:lmk:pg

September 15, 2005

As redrafted, the exemptions under s. 167.31 (4) (am) 4. and 5. will only apply to a gun outside its case that is unloaded.

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-3126/2

RNK:lmk:pg

3

2005 BILL

(see pg 2)

ReCom

✓

1 AN ACT *to renumber* 29.304 (5); *to renumber and amend* 29.304 (1) (b); *to*  
2 *amend* 29.184 (6) (b) 1., 29.304 (1) (a), 29.304 (2) (a), 29.304 (2) (b) (intro.),  
3 29.304 (2) (b) 1., 29.304 (2) (b) 2., 29.304 (3) (a) (intro.), 29.304 (3) (a) 1., 29.304  
4 (3) (a) 2., 29.304 (3) (b) (intro.), 29.304 (3) (b) 1., 29.304 (3) (b) 2., 29.304 (3) (b)  
5 3., 29.563 (2) (a) 4., 29.563 (4) (a) 1m., 29.563 (4) (a) 2m., 29.563 (4) (b) 1m.,  
6 29.593 (1) (a), 29.595 (3) (b), 169.20 (1) (a), 169.20 (2) (a) and 169.33 (2) (d); *to*  
7 *repeal and recreate* 29.304 (5) (title); and *to create* 29.304 (1) (b) 2., 29.304  
8 (2) (b) 3., 29.304 (3) (a) 3., 29.304 (3) (b) 4., 29.304 (5) (b), 29.592, 167.31 (1) (fh)  
9 and 167.31 (4) (am) 4. and 5. of the statutes; **relating to:** requirements for  
10 obtaining a certificate of accomplishment under the hunter education program  
11 and the elk hunter education program, requirements for hunting with a mentor

**BILL**

- 1 and for serving as a hunting mentor, and exceptions to the restrictions on  
2 placing, possessing, and transporting a firearm in or on a vehicle.

---

***Analysis by the Legislative Reference Bureau***

Current law imposes certain restrictions on hunting and firearm possession by any person under the age of 16 and generally prohibits hunting and firearm possession by any person under the age of 12. For persons who are older than 12 but under the age of 16, restrictions on hunting and firearm possession vary depending on the person's age. Current law also specifies that, with certain exceptions, no person born on or after January 1, 1973 may obtain a hunting approval unless the person is issued a certificate of accomplishment that certifies that the person has successfully completed the course of instruction under the hunter education or bow hunter education program established by the Department of Natural Resources (DNR). Furthermore, under current law, no person may be issued an elk hunting license unless the person has successfully completed the course of instruction under the elk hunter education program established by DNR.

This bill creates a hunting mentorship program under which a person of any age may hunt with a qualified mentor. Under the bill, a person who hunts with a qualified mentor is not required to obtain a certificate of accomplishment under one of the DNR hunter education programs if, at all times when hunting, the person is within arm's reach of a qualified mentor and the person holds a hunting approval.

To qualify as a hunting mentor under the bill, the mentor must be at least 21 years of age and, if the person being mentored is under the age of 18, must be the hunter's parent or guardian or must be authorized in writing by the parent or guardian to serve as a mentor. The mentor must also have been issued a certificate of accomplishment under one of DNR's hunter education programs unless the mentor is of an age at which such a certificate is not required under the law. Finally, the mentor must hold a hunting approval of the type held by the person for whom he or she is serving as a mentor.

This bill also provides that the restrictions on firearm possession by persons under the age of 16 do not apply to a person using a firearm in target practice if he or she is accompanied by his or her parent or guardian or by a person at least 18 years of age who is designated by the parent or guardian.

Current law provides, with certain exceptions, that no person may place, possess, or transport a firearm in or on a vehicle unless the firearm is unloaded and encased. This bill creates two additional exceptions to this general prohibition. Under the bill, a person may <sup>now place</sup> an unloaded firearm that is not in a case, on the exterior of a stationary vehicle or in the bed of a stationary truck while legally hunting. The bill also allows a person to possess or transport such a firearm in a vehicle while traveling between stations at a sport shooting range.

Under current law, a person may not purchase, possess, release into the wild, or hunt certain captive wild birds for the purpose of training a dog unless that person is issued a license by DNR. Current law also provides that a person must obtain a

**BILL**

hound dog training license from DNR in order for to purchase, possess, release into the wild, or hunt certain captive wild animals for the purpose of teaching hound dogs to track game. A person is not eligible under current law to apply for either of these licenses unless that person is at least 12 years old. This bill reduces the minimum age for obtaining either of these licenses to 10 years of age.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 29.184 (6) (b) 1. of the statutes is amended to read:

2           29.184 (6) (b) 1. The applicant is at least ~~12~~ 10 years old.

3           **SECTION 2.** 29.304 (1) (a) of the statutes is amended to read:

4           29.304 (1) (a) *Prohibition on hunting.* No person under 12 years of age may  
5 hunt with a firearm ~~or~~, bow and arrow, or crossbow unless he or she is hunting with  
6 a mentor and meets the requirements specified under s. 29.592.

7           **SECTION 3.** 29.304 (1) (b) of the statutes is renumbered 29.304 (1) (b) (intro.)  
8 and amended to read:

9           29.304 (1) (b) (intro.) *Restrictions on possession or control of a firearm.* No  
10 person under 12 years of age may have in his or her possession or control any firearm  
11 unless he any of the following apply:

12           1. He or she is enrolled in the course of instruction under the hunter education  
13 program and he or she is carrying the firearm in a case and unloaded to or from that  
14 class under the supervision of a parent or guardian or is handling or operating the  
15 firearm during that class under the supervision of an instructor.

16           **SECTION 4.** 29.304 (1) (b) 2. of the statutes is created to read:

17           29.304 (1) (b) 2. He or she is hunting with a mentor and meets the requirements  
18 specified under s. 29.592.



## BILL

## SECTION 5

1       **SECTION 5.** 29.304 (2) (a) of the statutes is amended to read:

2       29.304 (2) (a) *Restrictions on hunting.* No person 12 years of age or older but  
3 under 14 years of age may hunt unless he or she is accompanied by a parent or  
4 guardian or he or she is hunting with a mentor and meets the requirements specified  
5 under s. 29.592.

6       **SECTION 6.** 29.304 (2) (b) (intro.) of the statutes is amended to read:

7       29.304 (2) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
8 person 12 years of age or older but under 14 years of age may have in his or her  
9 possession or control any firearm unless ~~he or she~~ any of the following apply:

10       **SECTION 7.** 29.304 (2) (b) 1. of the statutes is amended to read:

11       29.304 (2) (b) 1. Is He or she is accompanied by a parent or guardian; ~~or.~~

12       **SECTION 8.** 29.304 (2) (b) 2. of the statutes is amended to read:

13       29.304 (2) (b) 2. Is He or she is enrolled in the course of instruction under the  
14 hunter education program and is carrying the firearm in a case and unloaded to or  
15 from that class or is handling or operating the firearm during that class under the  
16 supervision of an instructor.

17       **SECTION 9.** 29.304 (2) (b) 3. of the statutes is created to read:

18       29.304 (2) (b) 3. He or she is hunting with a mentor and meets the requirements  
19 specified under s. 29.592.

20       **SECTION 10.** 29.304 (3) (a) (intro.) of the statutes is amended to read:

21       29.304 (3) (a) *Restrictions on hunting.* (intro.) No person 14 years of age or  
22 older but under 16 years of age may hunt unless ~~he or she~~ any of the following apply:

23       **SECTION 11.** 29.304 (3) (a) 1. of the statutes is amended to read:

24       29.304 (3) (a) 1. Is He or she is accompanied by a parent or guardian; ~~or.~~

25       **SECTION 12.** 29.304 (3) (a) 2. of the statutes is amended to read:

**BILL**

1           29.304 (3) (a) 2. Is He or she is issued a certificate of accomplishment that states  
2           that he or she successfully completed the course of instruction under the hunter  
3           education program or has a similar certificate issued by another state or province.

4           **SECTION 13.** 29.304 (3) (a) 3. of the statutes is created to read:

5           29.304 (3) (a) 3. He or she is hunting with a mentor and meets the requirements  
6           specified under s. 29.592.

7           **SECTION 14.** 29.304 (3) (b) (intro.) of the statutes is amended to read:

8           29.304 (3) (b) *Restrictions on possession or control of a firearm.* (intro.) No  
9           person 14 years of age or older but under 16 years of age may have in his or her  
10          possession or control any firearm unless ~~he or she~~ any of the following apply:

11          **SECTION 15.** 29.304 (3) (b) 1. of the statutes is amended to read:

12          29.304 (3) (b) 1. Is He or she is accompanied by a parent or guardian;

13          **SECTION 16.** 29.304 (3) (b) 2. of the statutes is amended to read:

14          29.304 (3) (b) 2. Is He or she is enrolled in the course of instruction under the  
15          hunter education program and is carrying the firearm in a case and unloaded to or  
16          from that class or is handling or operating the firearm during that class under the  
17          supervision of an instructor; ~~or.~~

18          **SECTION 17.** 29.304 (3) (b) 3. of the statutes is amended to read:

19          29.304 (3) (b) 3. Is He or she is issued a certificate of accomplishment that states  
20          that he or she completed the course of instruction under the hunter education  
21          program or has a similar certificate issued by another state or province.

22          **SECTION 18.** 29.304 (3) (b) 4. of the statutes is created to read:

23          29.304 (3) (b) 4. He or she is hunting with a mentor and meets the requirements  
24          specified under s. 29.592.

25          **SECTION 19.** 29.304 (5) (title) of the statutes is repealed and recreated to read:

**BILL**

1           29.304 (5) (title) EXCEPTIONS.

2           **SECTION 20.** 29.304 (5) of the statutes is renumbered 29.304 (5) (a).

3           **SECTION 21.** 29.304 (5) (b) of the statutes is created to read:

4           29.304 (5) (b) The restrictions on the possession and control of a firearm under  
5 this section do not apply to a person using a firearm in target practice if he or she is  
6 accompanied by his or her parent or guardian or by a person at least 18 years of age  
7 who is designated by the parent or guardian.

8           **SECTION 22.** 29.563 (2) (a) 4. of the statutes, as affected by 2005 Wisconsin Act  
9 25, is amended to read:

10           29.563 (2) (a) 4. Small game issued to ~~12-year-olds to 17-year-olds~~ persons  
11 under the age of 18: \$6.25.

12           **SECTION 23.** 29.563 (4) (a) 1m. of the statutes, as affected by 2005 Wisconsin  
13 Act 25, is amended to read:

14           29.563 (4) (a) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons under  
15 the age of 18: \$32.25 or a greater amount at the applicant's option.

16           **SECTION 24.** 29.563 (4) (a) 2m. of the statutes, as affected by 2005 Wisconsin  
17 Act 25, is amended to read:

18           29.563 (4) (a) 2m. Conservation patron issued to ~~12-year-olds to 17-year-olds~~  
19 persons under the age of 18: \$70.25 or a greater amount at the applicant's option.

20           **SECTION 25.** 29.563 (4) (b) 1m. of the statutes is amended to read:

21           29.563 (4) (b) 1m. Sports issued to ~~12-year-olds to 17-year-olds~~ persons under  
22 the age of 18: \$33.25 or a greater amount at the applicant's option.

23           **SECTION 26.** 29.592 of the statutes is created to read:

24           **29.592 Hunting mentorship program.** (1) A person of any age may hunt  
25 in this state without obtaining a certificate of accomplishment under s. 29.591 or

**BILL**

1       29.595 and may, while hunting, possess or control a firearm if all of the following  
2       apply:

3           (a) At all times when hunting, the person is within arm's reach of a mentor who  
4       meets the qualifications under sub. (2).

5           (b) The person holds a hunting approval.

6           (2) A person is qualified to serve as a mentor for a hunter if the person meets  
7       all of the following requirements:

8           (a) The person is 21 years of age or older.

9           (b) The person is the parent or guardian of the person for whom he or she is  
10       serving as a mentor or is authorized, in writing, by the parent or guardian to serve  
11       as a mentor. This requirement does not apply to a person serving as a mentor for a  
12       person who is 18 years of age or older.

13          (c) The person has been issued a certificate of accomplishment under s. 29.591  
14       or, unless the person was born before January 1, 1973, and is not required to obtain  
15       a certificate of accomplishment.

16          (d) The person holds a hunting approval of the type held by the person for whom  
17       he or she is serving as a mentor.

18          (e) The person has never had a hunting approval suspended or revoked.

19       **SECTION 27.** 29.593 (1) (a) of the statutes is amended to read:

20           29.593 (1) (a) Except as provided under subs. (2), (2m) and (3), and s. 29.592  
21       (1), no person born on or after January 1, 1973, may obtain any approval authorizing  
22       hunting unless the person is issued a certificate of accomplishment under s. 29.591.

23       **SECTION 28.** 29.595 (3) (b) of the statutes is amended to read:

**BILL**

1           29.595 (3) (b) Except as provided in par. (c) and s. 29.592, no person may be  
2 issued an elk hunting license unless he or she holds a valid certificate of  
3 accomplishment issued under this subsection.

4           **SECTION 29.** 167.31 (1) (fh) of the statutes is created to read:

5           167.31 (1) (fh) "Sport shooting range" means an area designed and used for  
6 target practice for hunting, for skeet shooting, or for similar sport shooting.

7           **SECTION 30.** 167.31 (4) (am) 4. and 5. of the statutes are created to read:

8           167.31 (4) (am) 4. Subsection (2) does not apply to a person who places a firearm  
9 that is not encased on the exterior of a stationary vehicle or in the bed of a stationary  
10 truck while legally hunting.

11           5. Subsection (2) does not apply to a person who possesses or transports a  
12 firearm that is not encased in a vehicle while traveling between stations at a sport  
13 shooting range.

14           **SECTION 31.** 169.20 (1) (a) of the statutes is amended to read:

15           169.20 (1) (a) The department shall issue a bird dog training license to any  
16 individual who is at least ~~12~~ 10 years of age who files a proper application and who  
17 pays the applicable fee.

18           **SECTION 32.** 169.20 (2) (a) of the statutes is amended to read:

19           169.20 (2) (a) The department shall issue a hound dog training license to any  
20 individual who is at least ~~12~~ 10 years of age who files a proper application and who  
21 pays the applicable fee.

22           **SECTION 33.** 169.33 (2) (d) of the statutes is amended to read:

23           169.33 (2) (d) An individual who applies for a bird dog training license or a  
24 hound dog training license shall be at least ~~12~~ 10 years of age.

25           (END)

**Basford, Sarah**

---

**From:** Emerson, Anne  
**Sent:** Thursday, September 15, 2005 5:30 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-3126/3 Topic: Hunter apprentice program and changes in laws governing uncased guns

It has been requested by <Emerson, Anne> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3126/3 Topic: Hunter apprentice program and changes in laws governing uncased guns